

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING
and
ORDER NO. 929-D
Z.C. CASE NO. 00-28TA
(Text Amendment – 11 DCMR)
(Electronic Equipment Facilities)
February 11, 2002

The Zoning Commission for the District of Columbia, pursuant to its authority under §§ 1 and 8 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, 799, as amended; D.C. Code, 2001 Ed. §§ 6-641.01 and 6-641.07(d) (formerly codified at D.C. Code §§ 5-413 and 5-424(d) (1994 Repl.))), and 11 DCMR § 3030 (Consent Calendar), hereby gives notice of the adoption of minor amendments to §§ 199.1, 601.1(t)(1), 741.8(a), 745.4, 745.5, 756.3, 756.4, 756.5, 801.7(i), 802.12, 802.13, 802.14, 802.15, 822.11, 822.12, 822.13, 825.1, 825.13, 2101.1, 2201.1, and 2400.8. These sections, relating to Electronic Equipment Facilities (EEFs), were originally published in the Commission's Notice of Final Rulemaking in Z.C. Case No. 00-28TA, in 48 DCR 9830 (2001). The Commission took final action to adopt the amendments on February 11, 2002.

The Commission initiated this rulemaking to improve the consistency in the wording of the new rules, as well as to correct several grammatical errors. The amendments also clarify the wording in § 2101.1 relating to the number of parking spaces required for EEF use.

This final rulemaking is effective upon publication in the *D.C. Register*.

The Commission took proposed action pursuant to 11 DCMR § 3027.2, at its regular monthly meeting on November 19, 2001, to approve the proposed amendments. A Notice of Proposed Rulemaking was published in the *D.C. Register* on December 7, 2001, at 48 DCR 11159, for a 30-day notice and comment period. Because this rulemaking was undertaken pursuant to the Commission's Consent Calendar procedures in 11 DCMR § 3030, no hearing was held. The Office of the Corporation Counsel has determined that this rulemaking meets its standards of legal sufficiency.

The Commission did not receive any comments from the public regarding this rulemaking. The Commission therefore took final action to adopt the proposed rulemaking as the final rulemaking.


Based on the above, the Commission finds that the proposed amendments are minor modifications to a previously approved rulemaking, in the best interests of the District of Columbia, consistent with the purpose and intent of the Zoning Regulations and Zoning Act, and not inconsistent with the Comprehensive Plan for the National Capital.


In consideration of the reasons set forth herein, the Zoning Commission hereby orders **APPROVAL** of the amendments to the Zoning Regulations, Title 11 DCMR, as set forth in the Commission's Notice of Proposed Rulemaking at 48 DCR 11159.

Vote of the Zoning Commission taken at its public meeting on November 19, 2001, to approve the proposed rulemaking: **4 – 0 – 1** (Carol J. Mitten, John G. Parsons, Anthony J. Hood, and Peter G. May, to approve; James H. Hannaham, not present, not voting).

This order was adopted by the Zoning Commission at its public meeting on February 11, 2002, by a vote of **3 – 0 – 2**. (Anthony J. Hood, Peter G. May, and John G. Parsons, to **ADOPT** Z.C. Order No. 929-D; Carol J. Mitten, not present, not voting; James H. Hannaham, not voting, not having participated in the proposed rulemaking action).

In accordance with 11 DCMR § 3028.9, this order shall become effective upon publication in the *D.C. Register*; that is, on FEB. 22 2002.


CAROL J. MITTEN
Chairman
Zoning Commission


JERRILY R. KRESS, FAIA
Director
Office of Zoning